

MINUTES OF THE LAFAYETTE COMMON COUNCIL
September 10, 2007
REGULAR MEETING

The Common Council of the City of Lafayette, Indiana met in regular session on Monday, September 10, 2007 at 7:00 p.m. in the City Hall Council Chambers, 20 North 6th Street, Lafayette, Indiana.

President Weast-Williamson called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was given to the flag of our Country.

The following members were:

Present: Heide, Klinker, Meyer, Campbell, Brown, Rhoda, Smith, and Weast-Williamson.

Absent: Probasco

The City Clerk stated that there was a quorum present.

City Clerk Cindy Murray and City Attorney Ed Chosnek were present.

Councilman Campbell moved to recess for a public hearing on Ordinance 2007-27 (An Ordinance Fixing the Salaries of the Elected Officials of the City of Lafayette, Indiana for the Year 2008), Councilman Brown seconded. There was no public comment.. Councilman Campbell moved to reconvene to the regular meeting, Councilman Klinker seconded. The motion passed by unanimous voice vote.

Councilman Campbell moved to approve the minutes from the August 6, 2007 regular session and the August 29, 2007 Special Session meeting noting a scrivener's error: omitting Councilman Rhoda from the August 29, 2007 Special meeting attendance which has been corrected. Councilman Klinker seconded. The motion passed by unanimous voice vote.

The Clerk stated that there were no Claims, Petitions or Communications.

The Clerk stated the following reports are available in the City Clerk's Office:

Clerk's Office Monthly- July, August 2007

Water Works Plant-Monthly- July 2007

Water Pollution Control Monthly - July 2007

Motor Vehicle & Fleet Maintenance Dept. Monthly -July 2007

Ordinances for Second Reading:

The Clerk read Ordinance 2007-24 (2008 City Budget Ordinance) by title only on second and final reading. Councilman Campbell moved for passage, Councilman Meyer seconded. Councilman Meyer moved to amend Ordinance 2007-24 in its entirety to include an amended Exhibit A dated 09-10-2007, Councilman Brown seconded. The Amendment passed 7-0 on a roll call vote. Mayor Roswarski spoke regarding the amendment, which reflects a further decrease in the budget, to bring it below fifty million dollars, which was the goal when the budget process began. Mayor Roswarski stated the priority with the 2008 budget was to provide high quality services to the citizens of Lafayette and do that in the most efficient way possible and to continue an unwavering commitment to public safety. Mayor Roswarski thanked Council for their time and hard work during the working sessions and previous meetings. Mayor Roswarski stated this 2008 budget reflects only a 1.33% increase. Mayor Roswarski and Mike Jones, Controller gave a presentation of an actual tax bill of a home in the City of Lafayette to show calculations of taxing amounts and what portion is actually received for the operations of City government. Councilman Meyer noted the property tax portion given to the City does not include water and sewer service, which is a separate utility. Councilman Brown noted a significant decrease in the 2008 budget for unemployment and workman's compensation and asked how that was accomplished. Mayor Roswarski stated the City was promoting safety for employees including incentive pizza parties for departments, the accident rates have been reduced by 30%. Mr. Jones noted this was a self-funded service which has sufficient reserves to allow for the decrease. There was no public comment on the budget. Ordinance 2007-24 passed as amended 7-0 on a roll call vote.

The Clerk read Ordinance 2007-25 (An Ordinance Fixing the Salaries of the Appointed Officers and Employees of the City of Lafayette, Indiana for the year 2008, Excluding the Sworn Protective Occupation and Law Enforcement Members of the Police and Fire Departments.) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Heide seconded. Mr. Jones stated this proposal included a 4% raise for City employees. Councilman Meyer stated the Property and Evidence Technicians job class should be changed from a COMOT I to a COMOT II on Exhibit A, and as previously passed in Ordinance 2007-15, and moved to amend Ordinance 2007-25 to reflect the change. Councilman Klinker seconded. The motion to amend passed 7-0 on a roll call vote. Ordinance 2007-25 passed as amended 7-0 on a roll call vote.

The Clerk read Ordinance 2007-26 (An Ordinance Fixing the Salaries of the Sworn Protective Occupation and Law Enforcement (POLE) Members of the Police and Fire Departments of the City of Lafayette, Indiana for the Year 2008) by title only on second and final reading. Councilman Campbell moved for passage, Councilman Brown seconded. Mr. Jones was available for questions. Ordinance 2007-26 passed 7-0 on a roll call vote.

The Clerk read Ordinance 2007-27 (An Ordinance Fixing the Salaries of the Elected Officials of the City of Lafayette Indiana for the year 2008) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Heide seconded. Mr. Jones was available for questions. Ordinance 2007-27 passed 6-1 on a roll call vote as follows:

Ayes: Heide, Klinker, Meyer, Campbell, Rhoda and Smith.

Nays: Brown.

Councilman Meyer moved to remove Ordinance 2003-26 from the table for consideration. Councilman Brown seconded. The motion passed by unanimous voice vote. The Clerk read Ordinance 2003-26 (An Ordinance Replacing Chapters 6.01, 6.02, 6.03, and 6.04 and Deleting Chapter 6.06 of the Lafayette Municipal Code of Ordinances Pertaining to Sewer Service and Wastewater Control in the City of Lafayette) by title only on second and final reading. Councilman Meyer moved for passage, Councilman Campbell seconded. Councilman Meyer moved to amend Ordinance 2003-26 in its entirety with amended Ordinance 2003-26 (An Ordinance Amending the Lafayette Municipal Code Pertaining to Sewer Service and Wastewater Control in the City of Lafayette by repealing Chapters 6.01, 6.02, 6.03, 6.04 and 6.06 and Replacing the Same with new Chapters 6.01, 6.02, 6.03 and 6.04. Councilman Campbell seconded. Amendment passed 7-0 on a roll call vote. Brad Talley, Superintendent, Water Pollution Control read aloud the following explanation for the amendments to Ordinance 2003-26. The Ordinance was originally passed first reading July 2, 2003 and submitted to the United State Environmental Agency (US EPA) and Indiana Department of Environmental Management (IDEM) for their approval IDEM issued the City of Lafayette a new permit covering rules and regulations to discharge wastewater to the Wabash River. The National Pollutant Discharge Elimination System Permit (NPDES) was issued May 1, 2003. To satisfy NPDES permit requirements, it was necessary to amend the supporting document to aid the City to incorporate Federal and State Pretreatment Language, as well as improving local requirements. The ordinance was modified to clarify regulatory requirements and provide adequate legal authority for enforcement to aid in the protection of the sewerage system, users of the system, the treatment plant, and the receiving streams including the Wabash River. Changes included a local limits evaluation resulting in pollutant limit changes, modifying the structure of the document to match the City Codes, a tiered Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS) limit structure, plant closure language, industrial users permit classifications, permit duration requirements, and general protective language. Ordinance 2003-26 was submitted to the US EPA and IDEM for their approval after the Council's first reading July 2, 2003 and then tabled on August 4, 2003. Following five separate revisions requested by EPA, the final document was approved on July, 24, 2007. Modifications to the original submitted document included local limits changes, adding hazardous waste language, adding industrial user permit contents requirements, slug control language and annexation language changes. Discussion ensued. The motion to amend passed 7-0 on a roll call vote. Amended Ordinance 2003-26 passed 7-0 on a roll call vote.

Ordinances for First Reading:

The Clerk read Ordinance 2007-28 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana to Rezone Certain Real Estate from **I3** to **GB** Zanik Corporation, Petitioner, 3430 and 3440 Fairfield Court) by title only on first and final reading. Councilman Brown moved for passage, Councilman Klinker seconded. Councilman

Meyer excused himself due to a conflict the time being 7:33pm. Joe Bumbleburg, Attorney representing the Petitioner spoke on behalf of the proposal and was available for questions. Ordinance 2007-28 passed 6-0 on a roll call vote. Councilman Meyer returned to the meeting at 7:40 pm.

The Clerk read Ordinance 2007-29 (An Ordinance to Amend the Zoning Ordinance of Tippecanoe County, Indiana to Rezone Certain Real Estate from **R1** to **NB** Matthew Evans, petitioner, 3831 Union Street) by title only on first and final reading. Councilman Smith moved for passage, Councilman Heide seconded. Matthew Evans, petitioner, spoke on behalf of the proposal, explaining it would allow for the expansion of the parking area in the front of his existing business. Ordinance 2007-29 passed 7-0 on a roll call vote.

There were no Resolutions

There were no Reports of Standing Committees.

There were no Reports of Special Committees.

Report by Mayor: Mayor Roswarski announced there would be a Town Hall Meeting with Hyatt-Palma at 7:00 pm on Tuesday, September 11' 2007 at the Holiday Inn Select to gather information from Council, local citizens and merchants to assist in developing a new five year plan for downtown Lafayette. Mayor Roswarski invited and encouraged all citizens to attend.

Miscellaneous or New Business:

Danny Jackson, Eagle Scout from Boy Scout Troop 310, gave a brief presentation on a recent cleanup project of Berlovitz Woods, which was done with the assistance of Troop 310 and Dr. Bill Hoover, Professor/Assistant Head of the Department of Forestry and Natural Resources for Purdue University.

Dr. Hoover introduced Justin Small a student of the Department of Forestry and Natural Resources at Purdue University who is interested in continuing the project.

Reports of Councilmen:

Councilman Heide along with the rest of the Council presented to the City a trophy they were awarded the St. Mary/Ninth Street Croquet Tournament.

There was no Public Comment.

With no further business to come before the Council, Councilman Campbell moved to adjourn, Councilman Klinker seconded. Meeting was adjourned at 7:57 pm.

Minutes prepared by Cindy Murray, City Clerk

Complete audio of meeting available in the City Clerks office or at www.lafayette.in.gov